

27. Resolution appointing State directors in the Baltimore and Susquehanna Rail Road Company.
28. Resolution in relation to runaway Slaves.
29. Resolution in favor of Mary & Wm. Tyson.
30. Resolution in favor of George G. Coe.
31. Resolution in favor of Wm. McNeir.
32. Resolution in favor of Capt. L. O. Harn.
33. Resolution in favor of Elizabeth Hammond.
34. Resolution in favor of Cassandria Sappington.
35. Resolution in favor of the Chaplains.
36. Resolution in relation to Wm. J. Belt.
37. Resolution in favor of John Sullivan & Son and Birchhead & Pearce.
38. Resolution carrying into effect res. No. 8, of 1840.
39. Resolution in favor of James Coulter.
40. Resolution in favor of Capt. George Schley.
41. Resolution in relation to suits against delinquent officers, &c.
42. Resolution in favor of Andrew Slicer and John Quynn.
43. Resolution in favor of Capt. John Braddock, Jr.
44. Resolution in relation to transfer of Stock, held by the General Government in the Chesapeake and Ohio Canal.
45. Resolution authorising the Librarian to furnish the treasurer of the New Windsor Library Company with a copy of Dorsey's laws.
46. Resolution in relation to the furnace under the library.
47. Resolution in relation to the publication of the revenue laws.
48. Resolution in favor of the Port Deposit Library Association.
49. Resolution in favor of the officers of the Legislature.
50. Resolution in favor of Capt. J. A. Magruder.
51. Resolution in favor of Capt. Wm. H. Watson.
52. Resolution in favor of those members of the Legislature who may be detained at the seat of Government by sickness.
53. Resolution in relation to the State Library.
54. Resolution in favor of John D. Toy.
55. Resolution in favor of the printer to the House.
56. Resolution in favor of John B. Brooke, clerk of P. George's county court.
57. Resolution in relation to Slavery.
58. Resolution in favor of James Iglehart.
59. Resolution in favor of Andrew Slicer and Samuel Peaco.
60. Resolution in favor of Thomas Gaither and George E. Gambrell.
61. Resolution directing the Librarian to furnish certain institutions with the books therein mentioned.
62. Resolution directing commission to issue to James Alfred Pearce, as Senator in Congress.

R U L E S A N D O R D E R S

F O R T H E

R E G U L A T I O N A N D G O V E R N M E N T

O F T H E

H O U S E O F D E L E G A T E S O F M A R Y L A N D ,

D E C E M B E R S E S S I O N , 1 8 4 3 .

RULES AND ORDERS.

TOUCHING THE DUTIES OF THE SPEAKER.

1st.

The Speaker shall take the Chair every day precisely at the hour to which the House stands adjourned; shall immediately call the members to order, and after Divine Service has been performed, on the appearance of a quorum, sha'l cause the journal of preceding day to be read.

2nd

He shall preserve decorum and order, may speak to points of order in preference to other members; shall decide questions of order, subject to an appeal to the House by any two members; and his decision of any question shall be final, unless the yeas and nays be required; and he may vote on every question, except on an appeal from the decision of the Chair, on a question of order.

3rd.

The Speaker shall examine and correct the journal before it is read. He shall have a general direction of the hall. He shall have a right to name, from time to time, any member to perform the duties of the chair; but such substitution shall not extend beyond an adjournment. He shall appoint all conferrees and committees, unless otherwise directed by the House; and may admit stenographers willing to take down the debates, and assign them such places on the floor, or elsewhere, to effect their objects as shall not interfere with the business or convenience of the House.

4th.

In case of any disturbance or disorderly conduct in the gallery or lobby, the Speaker (or chairman of the committee of the whole house) shall have power to order the same to be cleared.

5th.

No person shall be admitted within the bar of the House, but members of the Executive and Judiciary departments, members of the Senate, former members of the Legislature, and such other persons as may be invited by the Speaker.

OF THE ORDER OF BUSINESS.

6th.

The Clerk of the House shall, within six days from the commencement of the session, place in the hands of the Speaker, a correct list of all bills, resolutions and reports, which originated in this House, and were referred from the preceding to the succeeding session.

7th.

Immediately after the reading of the proceedings of the preceding day, the clerk shall announce the bills ready for a second reading, and the orders of the day; after which the following order of proceedings shall be observed, &c.

The presentation and disposition of petitions, memorials, applications, or other papers.

Orders and leaves to introduce bills and resolutions will be received.

Reports of standing committees will be in order.

Reports of select committees will be in order.

Bills reported for a first reading, will then be in order.

Reports, orders, resolutions and bills entitled to a second reading, by the 40th rule, will be taken up and considered in due order, according to the 42nd rule.

The order of the day will then be taken up for consideration.

Which last shall not be taken up before 12 o'clock, unless all the ordinary business shall have been previously disposed of, and shall, after that hour, have preference over all ordinary business.

OF DECORUM, DEBATE, &c.

8th.

Every member shall take his seat when the Speaker takes the chair, and when the House adjourns, every member shall remain in his place until the Speaker go forth.

9th.

No member shall absent himself from the service of the House, unless he have leave, or be sick and unable to attend.

10th.

When a member is about to speak in debate, or deliver any matter to the House, he shall rise from his seat uncovered, and respectfully address himself to "Mr. Speaker:"—he shall confine himself to the question under debate; shall avoid personality; and shall use some other distinction than the proper name of any other member to whom he may refer in debate.

11th.

If two or more members shall rise to speak at the same time, the Speaker shall determine which shall speak first, and no member shall speak more than twice to the same question, nor more than once until every member choosing to speak shall have spoken.

12th.

If any member shall, in any manner, transgress the rules of the House, the Speaker shall, or any member may call to order, in which case the members so called to order, shall immediately sit down unless permitted to explain; and the House shall, if appealed to, decide on the case, but without debate; if there be no appeal, the decision of the chair shall be submitted to; if the decision be in favor of the member called to order, he shall be at liberty to proceed, if otherwise he shall not be permitted to proceed without leave of the House, and if the case require it, he shall be liable, to the censure of the House.

13th.

No member shall vote on any question in the result of which he is immediately and particularly interested, nor in any case where he was not present when the question was put; and upon

a division and count of the House, on any question, no member without the bar shall be counted.

14th.

Every member who shall be in the House when the question is put, shall give his vote, unless the House, for special reasons shall excuse him; and the refusal of any member present to vote, on calling the yeas and nays, shall be noted on the journal at the request of any member.

15th.

No member, without permission of the House, shall answer on the yeas and nays, who did not divide on the question; and if any member divide on one side and answer on the other, on calling the yeas and nays, the same shall be noted on the journal, at the request of any member.

16th.

No member shall take out of the House any bill or other paper belonging to the House, without leave of the Speaker, and no original paper shall be delivered to any person during the recess of the Legislature, without a written order from the Speaker.

17th.

Any member, on motion, or in debate, may call for the reading of any law, journal, record or other public proceedings, which may relate to the subject matter.

18th.

No member shall nominate more than one person or any committee, and in making such nomination, he shall rise and address himself to the Speaker.

19th.

The name of every member making a motion, presenting any petition, memorial, or other paper, or proposing any resolution, order, or other matter, shall be inserted on the journal; but if any motion or proposition be withdrawn, all proceedings relating immediately thereto, shall be expunged from the journal.

20th.

Whilst the Speaker is putting any question, or addressing the House, none shall walk out, or cross the House; nor in such case, or while a member is speaking, shall hold private discourse so as to interrupt debate.

21st.

When a motion is made and seconded, it shall be stated by the Speaker; or being in writing, it shall be handed to the chair, and read aloud by the clerk, before debated: and every motion shall be reduced to writing, if the Speaker, or any member, require it.

22nd.

When a motion is made and seconded, or when a question is under debate, the matter shall receive a determination by the question, or it may be postponed by a motion to adjourn, to lie on the table, for the previous question, to postpone to a day certain, to commit or amend, to postpone indefinitely; which several motions shall have precedence in the order in which they are arranged. A motion to strike out the enacting words of a bill, shall have precedence of a motion to amend, and if carried, shall be equivalent to its rejection, and when a question is postponed indefinitely, the same shall not be acted on again during the session.

23rd.

The previous question shall be in this form: "shall the main question be now put?" It may be called for on any question except on an amendment, or other matter, which cannot in its nature, be postponed; and when demanded by a majority of the members present, it shall, until it is decided, preclude all further amendment and debate of the main question. On a previous question there shall be no debate.

24th.

Every question shall be entered on the journal, and the yeas and nays shall be taken when required by seven members who shall have divided on the question; and whenever the yeas and nays are ordered to be taken, no question of adjournment shall be received or propounded by the Speaker, until the yeas and nays are called, counted and reported.

25th.

Any member may call for a division of a question, which shall be divided, if it comprehends questions so distinct, that one being taken away, the rest may stand entire for the decision of the House, and when an amendment shall be proposed to an amendment, the question on an amendment shall be taken first, and then divided if required, into as many parts as admit of distinct questions.

26th.

A motion to strike out and insert, shall be deemed inadvisable, but a motion to strike out being lost, shall preclude neither amendment, nor a motion to strike out and insert. A motion to strike out and insert, together with the matter proposed to be inserted, shall be received, and the question on it taken as one entire motion, but any member may have the same divided, agreeably to the 25th rule.

No motion or proposition on a subject different from that under consideration, shall be admitted under color of amendment.

27th.

All questions shall be determined by a majority of the members present: those dividing in the affirmative rising in their places, those in the negative continuing in their seats, and so *vice versa*, until a decision by the Speaker.

28th.

When a question has once been decided in the affirmative, or negative, a motion of reconsideration shall be in order, if made by one member, and seconded by two others who voted in the majority, within three days after the decision; and no motion for reconsideration shall be postponed or laid on the table.

29th.

Petitions, memorials and other papers addressed to the House, shall be presented by the Speaker, or by a member in his place; and the object of all petitions and memorials shall be endorsed on the back, and shall be entered on the journal.

30th.

The unfinished business in which the House was engaged at

the preceding adjournment, shall have the preference in the orders of the day; and no motion, or any other business shall be received, without special leave of the House, until the former is disposed of.

31st.

Any fifteen members (including the Speaker, if there be one,) shall be authorised to compel the attendance of absent members.

32nd.

Every committee shall have leave to report by bill or otherwise.

33rd.

No committee shall sit during the sitting of the House, without special leave.

34th.

On an election to any office of trust or profit, no ballot shall be counted, unless the person for whom it is given be nominated to the House before the balloting be commenced, except as may be otherwise provided for by the Constitution.

35th.

When a blank is not filled up, and different sums, numbers, or times, shall be proposed, the question shall first be taken on the largest sum, or number, and on the latest time.

OF BILLS AND RESOLUTIONS.

36th.

Every bill shall be introduced by motion for leave, by an order of the House, or on the report of a committee, and in either of the two cases first mentioned, a committee to prepare the same shall be appointed.

37th.

Every bill may have its first reading by its title.

38th.

Upon the first reading of every bill or resolution, the question of consideration shall be put; and if the House refuse to consider the bill, it shall not be printed, and shall not be entitled to a second reading during the session: if no opposition

be made, or if the question to consider be decided in the affirmative, the bill shall go to its second reading without a question.

39th.

All bills of a private or local character and of a partial operation, received from the Senate, shall be referred to a select committee of three members, to be appointed by the Speaker, and bills of a public or general character, received from the Senate, relating to subjects upon which committees have been appointed, shall be referred, severally, to the committee to which the same shall belong, respectively.

40th.

Every bill or resolution originating in this House, or received from the Senate, shall be read on two several days, with an intermission of one day, at least, during which time, it shall lie on the table for the perusal of members, unless on very urgent occasions, the House, by special order, two-thirds of the members present agreeing, dispense with the rule; which order shall be entered on the Journal.

41st.

No bill or resolution shall have a second reading until every member in the city shall be called upon to attend (if required by three members,) except he be excused by the House for indisposition, or a necessary attendance on public business; but calls of the House shall be made, if required by seven members, on any other subject under the consideration of the House.

42nd.

All bills and resolutions, which have been once read and are entitled to a second reading by the rules of the House, shall be arranged every morning agreeably to seniority, by the Clerk, placed on the Speaker's desk, taken up by him in just turn, and read a second time, although no motion for a second reading may have been made.

43rd.

The following standing committees, each to consist of seven members, shall be appointed by the Speaker, at the commencement of the session, viz :

1. A committee on Elections and Privileges ;
2. A committee on Ways and Means ;
3. A committee on Claims ;
4. A committee on Grievances and Courts of Justice ;
5. A committee on Military Pensions and Revolutionary Claims ;
6. A committee on Internal Improvements ;
7. A committee on Education ;
8. A committee on the Militia ;
9. A committee on Insolvency ;
10. A committee on Crimes and Punishments ;
11. A committee on Pensions to indigent persons by County Assessment ;
12. A committee on Agriculture ;
13. A committee on Manufactures ;
14. A committee on Inspections ;
15. A committee on Lotteries ;
16. A committee on Expiring Laws ;
17. A committee on the State Library ;
18. A committee on Engrossed Bills and Resolutions.
19. A committee on Printing.
20. A committee on Federal Relations.
21. A committee on Divorces.
22. A committee on Retrenchment.

OF THE COMMITTEE OF THE WHOLE HOUSE.

44th.

There shall be a standing committee of the whole House, on the condition of the State, which may originate bills or resolutions, and may sit, when required by seven members.

45th.

Every bill, resolution, report, order or other matter, before its second reading in the House, shall, if required by any five members, be committed to a committee of the whole House.

46th.

In forming a committee of the whole House, the Speaker shall leave his chair, and a chairman to preside in committee, shall be appointed by the Speaker.

47th.

Upon bills, resolutions, reports, orders, or other matters committed to a committee of the whole House, the same shall be first read throughout by the Clerk, and then again read and debated by clauses, leaving the title and preamble to be last considered; the body of the bill, resolution, report, order or other matter, shall not be defaced or interlined; but all amendments, noting the page and line, shall be duly entered by the Clerk on a separate paper, as the same shall be agreed to by the committee, and so report to the House; after report, the bill, resolution, report, order or other matter, shall again be subject to be debated and amended by clauses.

48th.

The rules of proceedings in the House shall be observed in a committee of the whole House, so far as they are applicable.

49th.

No standing rule or order shall be rescinded or changed, without one day's notice being given of the motion therefor.

Nor shall any rule be suspended, except by a vote of at least two-thirds of the members present.

50th.

Reports of committees, on subjects of a private or local nature, shall not in future, be entered *in extenso* on the journal; but the favorable or unfavorable character only, of such reports, shall be placed on the journal.

51st.

The Speaker shall, at the commencement of every session, appoint a standing committee on corporations, whose duty it shall be, to investigate all such bills for creating corporations as may be referred to them, and report if any and what inconvenience may result to the State from the passage of such bills.

52nd.

No motion to lie on the table shall be debateable.

CONTENTS OF THIS VOLUME.

- DOC. A.—Annual Message of the Executive to the General Assembly of Maryland, December session, 1843.
- B.—Report by the Committee of Claims of the Accounts of George Mackubin, late Treasurer of the Western Shore, from the 1st December, 1842, to 9th March, 1843, inclusive.
- C.—Report by the Committee of Claims, of the Accounts of James S. Owens, Treasurer of the Western Shore, from 10th March, 1843, to 1st Dec. 1843.
- D.—Communication from James Hepburn, Esq. President of the Susquehanna and Tide Water Canal Company, in answer to an order of the House of Delegates of the 1st January, 1844.
- E.—Communications transmitted to the Governor of Maryland, enclosing Resolutions from the States of Maine, Missouri, New Jersey, Alabama and Massachusetts.
- F.—Report of the Colonization Society, in answer to an order of the House of Delegates of the 2nd January, 1844.
- G.—Report of the President and Directors of the Baltimore and Susquehanna Rail Road Company, shewing the operations of the Company during the year ending on 30th September, 1843.
- H.—Report of the Treasurer of the Western Shore, relative to the Tobacco Warehouses, under order of the House of Delegates, 2nd January, 1844.
- I.—Communication of the President of the Baltimore and Ohio Rail Road Company, respecting reduction of Fare on the Washington Branch.
- J.—Statement of the Treasurer of the Western Shore, of all the Balances due the State from the State Debtors: shewing names and amounts.
- K.—Report of the Select Committee to which was referred so much of the Executive Message as relates to the Assumption of State Debts by the General Government.

- DOC. I.—Statement of the amount of Taxes due from each County, Howard District and Baltimore city, for the years 1841, 1842 and 1843, in obedience to an order of the House of Delegates of the 17th January, 1844.
- M.—Report from the Select Committee to whom was referred the subject of the Removal of the Free Colored Population from Charles county.
- N.—Communication from the Treasurer of the Western Shore, enclosing a Statement of the commissions paid in pursuance of chapter 390, of 1838, in obedience to an order of the House of Delegates of the 15th January, 1844.
- O.—Report of the Committee of Claims, upon the Accounts of James S. Owens, late Treasurer of the Western Shore, from 1st December 1843, to 11th January 1844, inclusive, in obedience to an order of the House of Delegates of the 13th Jan. 1844.
- P.—Report of the majority of the committee on Ways and Means, to whom was referred so much of the Governor's Message as relates to the Finances of the State.
- Q.—Communication of the Baltimore and Ohio Rail Road Company, in answer to Interrogatories made by order of the House of Delegates of the 10th February 1844.
- R.—Report of the Select Committee on the subject of the transfer of the Stock of the United States in the Chesapeake and Ohio Canal to the State of Maryland.
- S.—Report of Mr. Carey, from the committee on Ways and Means, on his own behalf, on so much of the Governor's Message as relates to the Finances of the State.
- T.—Report of the President of the Chesapeake and Ohio Canal Company, relative to Examinations and Surveys made with reference to a Dam or Slack Water Navigation, from Dam No. 6 to Cumberland, &c., in obedience to an order of the House of Delegates of the 19th February, 1844.
- U.—Communication from the President of the Chesapeake and Ohio Canal Company, in answer to Interrogatories propounded by order of the House of Delegates of the 19th February, 1844.
- V.—Communication from G. L. Thompson, Esq. Engineer in Chief U. S. Navy, relative to the Quantity and Quality of Coal most likely to be required at the Navy Yards, and by the War Steamers of the United States.

- DOC. W.—Report of the Select Committee, to which was referred the enquiry whether the Pennsylvania, Delaware and Maryland Steam Navigation Company, and the Chesapeake and Delaware Canal Company, have not forfeited their charters.
- X.—Answer of the President of the Baltimore and Ohio Rail Road Company, to Interrogatories propounded by the House of Delegates on the 20th February, with the Accompany Report of Benj. H. Latrobe, Esq. Chief Engineer.
- Y.—Answer of the Chief Engineer of the Baltimore and Ohio Rail Road Company, relative to the construction of a Lock and Dam Navigation from Dam No. 6 to the South Branch, and thence to Cumberland, in obedience to an order of the House of Delegates of the 19th February, 1844.
- Z.—Report of the President of the Chesapeake and Ohio Canal Company, giving a Statement of the amount expended on the canal from its Eastern Terminus to Dam No. 5, and thence to Cumberland. &c. &c. in obedience to an order of the House of Delegates of the 12th February, 1844.
- AA.—Communication from the President of the Baltimore and Ohio Rail Road Company, relative to the Act of 1832, chapter 175, regulating the charge for conveyance of Passengers between the cities of Baltimore and Washington.
- BB.—Report of the Adjutant General, shewing the number and character of the Arms and Accoutrements furnished to the State of Maryland, by the General Government, under the Act of 1808, in obedience to an order of the House of Delegates of the 24th February, 1844.
- CC.—Communication from the President of the Chesapeake and Ohio Canal Company, enclosing Correspondence with the Messrs. Barings and others, in relation to the Procurement of Funds, &c. for the completion of the work, in obedience to an order of the House of Delegates of the 23rd February, 1844.
- DD.—Communication from the Treasurer of the Western Shore, shewing to which one of the Internal Improvement Companies the several Bonds were issued in which the Sinking Fund has been invested &c., in obedience to an order of the House of Delegates of the 26th Feb. 1844.
- EE.—Report of the Committee on Agriculture, relative to the application of Lime to the different qualities of soil, and the use of Calcareous matter for Agricultural purposes, in obedience to an order of the House of Delegates of the 27th January, 1844.

- DOC. FF.—Report of the Baltimore and Ohio Rail Road Company, covering a Tariff of Rates of Transportation, “Main Stem” of said road, in obedience to an order of the House of Delegates of the 28th Feb. 1844.
- GG.—Report of the committee on Grievances and Courts of Justice, relative to the Charter of Philadelphia, Wilmington and Baltimore Rail Road Company, in obedience to an order of the House of Delegates of the 28th December, 1843.
- HH.—Report of the committee on Grievances and Courts of Justice, to whom were referred three orders of the House of Delegates, relative to the Judiciary; severally adopted on the 5th and 9th of February, and the 1st of March, 1844.
- II.—Report of the Committee on Agriculture, relative to the Bommer Method of making Manure, in obedience to an order of the House of Delegates of 26th January, 1844.
- Titles of the Laws and Resolutions, December session, 1843.
- Rules and Orders of the House.

REPORT

UPON, AND

DRAUGHT OF A CODE

FOR THE SUPPORT OF

COMMON SCHOOLS,

PREPARED

By J. C. Le Grand, J. S. Owens & J. H. T. Magruder,

AGREEABLY TO DIRECTION OF THE

GENERAL ASSEMBLY OF MARYLAND.

ANNAPOLIS:
PRINTED BY GEORGE JOHNSTON.

.....
1843.

